

1653



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Robert A. Copeland et al

CASE NO.: PH-7134

APPLICATION NO.: 09/808,832

GROUP ART UNIT: 1653

FILED: MARCH 15, 2001

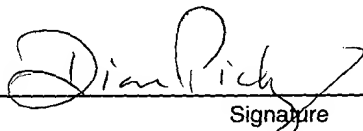
EXAMINER: J. RUSSEL

FOR: PEPTIDE-CLEAVABLE, TARGETED ANTINEOPLASTIC DRUGS AND THEIR THERAPEUTIC USE

I hereby certify that this correspondence, a **Response to Restriction Requirement and Postcard** are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

#8
Election
10/10/02

IN THE APPLICATION OF:

SERIAL NO.:

FILED:

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EXAMINER:

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Asst. Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This response is submitted pursuant to the Office Action dated August 16, 2002 to which a response is due on or before September 16, 2002. Claims 1-39 are under consideration.

Responsive to the Official Action dated August 16, 2002, Applicants elect with traverse, the E^{CP} group:

Cap- Paa - Xa2 - Gly - Xp1 - Xp2 - Laa -;

characterized in the restriction requirement for examination purposes only.

Claims 1-14, 15-19, 20-24, 30-32, 33-34 and 35-39 read thereon.

In response to the requirement to elect a single disclosed species, Applicants elect, for initial examination purposes only, SEQ. ID. NO. 186, found on pages 24 and 96. SEQ. ID. NO. 186 is also exemplified by Example 176, a compound of Formula:

acetyl- γ -Glu - Pro - Leu - Gly - Ser(O-benzyl) - Tyr - Leu - Doxorubicin;

found on page 76 in Table 6f. However, Applicants understand this requirement for election of species to be for initial examination purposes only, in accordance with MPEP §803.02, and this should not be a requirement to restrict the scope of the generic and subgeneric claims of this application to such species. If the Office Action is a requirement to restrict the scope of the generic and subgeneric